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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,418	09/30/2003	Nathanael F. Ehrich	RSW920030221US1	6181

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EXAMINER

PAULA, CESAR B

ART UNIT PAPER NUMBER

2178

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/675,418	Applicant(s) EHRICH ET AL.	
	Examiner CESAR B. PAULA	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7-10,13-15,18-20,26,27 and 29-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,7-10,13-15,18-20,26,27, and 29-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the pre-appeal brief filed on 6/15/2006.

This action is made Non-Final.

2. In the amendment, claims 1, 7-10, 13-15, 18-20, 26-27, and 29-32 are pending in the case. Claims 1, and 26-27 are independent claims.

3. The rejections of claims 1, 7-10, 13-15, 18-20, 26-27 and 29-30 rejected under 35 U.S.C. 102(b) as being anticipated by Kanevsky (Pat.# 6,300,947 B1, 10/9/2001), have been withdrawn as necessitated by the newly applied prior art.

4. The rejections of claims 31-32 rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky as applied to claim 1 above, in view of Hind et al, hereinafter Hind (Pat.# 6,463,440 B1, 10/8/2002), have been withdrawn as necessitated by the newly applied prior art.

Drawings

5. The drawings filed on 9/30/2003 have been accepted by the Examiner. However, the drawing filed on 1/31/06 has not been accepted, since this drawing is a copy of fig 1 as submitted on 9/30/2003.

Claim Rejections - 35 USC § 101

6. The rejections of claims 1-26 under 35 U.S.C. 101 have been withdrawn as necessitated by the amendment.

Double Patenting

7. The rejections of claims 1-8, 26-27 provisionally rejected under 35 U.S.C. 101, have been withdrawn.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 7-10, 13-15, 18-20, 26-27, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky (Pat.# 6,300,947 B1, 10/9/2001), in view of Hill et al, hereinafter Hill (Pat.# 6,023,714, 2/8/2000, as disclosed on pto-892 mailed on 11/1/2005).

Regarding independent claim 1, Kanevsky discloses receiving a web page at a client. The web page contains CGI instructions for displaying it, and its components. The CGI instructions contain scripts which are programs indicating parameters, such as the type of computer, pc, laptop, etc., for the display of the web page, which is adapted at the server – *a markup language*

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document that specifies a web page for rendering on a display of the client device, wherein the specification of the web page further comprises, for at least one component of the web pages-- (col. 7, lines 57-col.8, line 42).

Moreover, Kanevsky discloses interpreting URL instructions containing information regarding the content of web pages to determine whether or not the web pages meet certain criteria, such as a device characteristics-- *evaluating one or more factors to yield an evaluation result--* (col. 7, lines 57-col.8, line 42).

Moreover, Kanevsky discloses selectively displaying certain group of component(s) of the web pages received by a client computer from a server, such as icons, text, images, etc, based upon the interpretation of the URL instructions, and the device's characteristics-- *using the evaluation result to select a particular one of the plurality of alternative selectable views of a particular component, rendering on the display the web page with the selected view; receiving at the client device, syntax defining a plurality of alternative views of the component --* (col.7, lines 42-67, col.8, lines 44-67, col. 11, lines 1-62, col.2. lines 1-44, fig.10-15). Kanevsky fails to explicitly teach *receiving at the client device a markup language document comprising conditions under which each of the views should be selected for rendering; evaluating at the client device, and using the evaluation result at the client device*. However, Hill teaches a web page, which contains a layout generator, which determines the type of modification to be performed on the web page, to be displayed on a client, depending on the *conditions* or capabilities of a display device (col.9, lines 9-67, col.11, lines 4-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kanevsky, and Hill, for all the reasons shown by Hill, including formatting a web page based upon the capabilities of a

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client device (col.2, line 1-24). This would provide an efficient method for optimizing web pages to conform to the capabilities of a display device.

Regarding claim 7, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions, and the device's characteristics—*the syntax defining the plurality of alternative selectable views are specified using a scripting language syntax* -- (col. 11, lines 1-62, col.8, lines 16-34, fig.10-15).

Regarding claim 8, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the web pages, such as icons, text, images, etc, split up in a hierarchical fashion, based upon the interpretation of the URL instructions, and the device's characteristics (col. 11, lines 1-62, col.2, lines 1-44, fig.10-15).

Regarding claim 9, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions—*executable logic*--, and the device's characteristics (col. 11, lines 1-62, col.8, lines 16-34, fig.10-15).

Regarding claim 10, which depends on claim 7, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images,

etc, based upon the interpretation of the URL instructions—*logic--*, and the device's characteristics (col. 11, lines 1-62, col.8, lines 16-34, fig.10-15).

Regarding claim 13, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions, and the device's characteristics—*dynamic factor pertaining to the client device* (col.8, lines 24-67, fig.10-15).

Regarding claim 14, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions received over the Internet—*network--*, and the device's characteristics—*dynamic factor* (col.8, lines 24-67, col.4, lines 58-67, col.13, lines 31-67, fig.10-15).

Claim 15 is directed towards the steps found in claim 1, and therefore is similarly rejected.

Regarding claim 18, which depends on claim 15, Kanevsky discloses selectively displaying certain group of component(s) contained within the HTML web pages, such as icons, text, images, etc, into various pages based upon the interpretation of the URL instructions and the device's characteristics, such as screen size (col. 11, lines 1-62, col.8, lines 16-34, col.11, lines 14-67, fig.10-15).

Regarding claim 19, which depends on claim 15, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon priority, and the interpretation of the URL instructions and the device's characteristics, such as screen size (col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15).

Regarding claim 20, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions—*reference to logic* --, and the device's characteristics, such as an external pc, laptop, etc., which evaluate, and adapt the web page (col. 11, lines 1-62, col.8, lines 16-34, col.17, lines 1-67, fig.10-15).

Claims 26-28 are directed towards a computer program product on a computer-readable medium for storing the steps found in claims 1, 22, and 24 respectively, and therefore are similarly rejected.

Regarding claim 29, which depends on claim 1, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon the device's characteristics, such as screen size, pixel display area, etc., --*window size* (col.8, lines 62-67, col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15).

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Regarding claim 30, which depends on claim 1, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon the device's characteristics, such as screen size, pixel display area, etc., --*a current display processing load on the client device* (col.8, lines 62-67, col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15).

10. Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky, in view of Hill as applied to claim 1 above, in view of Hind et al, hereinafter Hind (Pat.# 6,463,440 B1, 10/8/2002).

Regarding claim 31, which depends on claim 1, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon the device's characteristics, such as screen size, pixel display area, etc., (col.8, lines 62-67, col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15). Kanevsky fails to explicitly teach *the one or more evaluated factors comprises applications currently executing at the client device*. Hind discloses ensuring that a specific browser is running on the device (col. 3, lines 12-48). In other words, this would exclude any other browser running in the device. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kanevsky, and Hind for all the reasons outlined by Hind above, including reducing the cost of transmitting the document and increasing the likelihood that sufficient storage space will be available for receiving the document.

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Regarding claim 32, which depends on claim 1, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon the device's characteristics, such as screen size, pixel display area, etc., (col.8, lines 62-67, col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15). Kanevsky fails to explicitly teach *the one or more evaluated factors comprises network connections currently open at the client device*. Hind discloses filtering images, audio, etc., from a markup document based upon a device's physical capabilities (col. 3, lines 12-48). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kanevsky, and Hind for all the reasons outlined by Hind above, including reducing the cost of transmitting the document and increasing the likelihood that sufficient storage space will be available for receiving the document

Response to Arguments

11. Applicant's arguments filed 6/15/2006 have been fully considered but they are moot in light of the new grounds of rejection above. The Applicant notes that there is no teaching in Kanevsky for receiving at the client device, syntax defining a plurality of alternative views of the component and conditions under which each of the views should be selected for rendering markup language document comprising a syntax defining a plurality of alternative views of the component and conditions under which each of the views should be selected for rendering *as amended* (pages15-16). The Applicant is directed toward the rejection of this limitation above in light of the newly applied prior art reference.

Conclusion

II. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The Examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

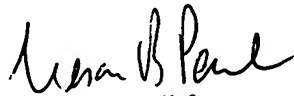
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Any response to this Action should be mailed to:
Commissioner for Patents
P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

- (571)-273-8300 (for all Formal communications intended for entry)


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PRIMARY EXAMINER
11/14/06